

**MINUTES  
LANCASTER COUNTY BOARD OF EQUALIZATION  
TUESDAY, APRIL 10, 2001  
COUNTY COMMISSIONERS CHAMBERS  
FIRST FLOOR, COUNTY-CITY BUILDING  
1:30 P.M.**

Commissioners Present: Kathy Campbell, Chair  
Bob Workman, Vice Chair  
Bernie Heier  
Larry Hudkins

Commissioners Absent: Linda Steinman

Others Present: Norm Agena, County Assessor  
Kerry Eagan, Chief Administrative Officer  
David Johnson, Deputy County Attorney  
Bruce Medcalf, County Clerk  
Gwen Thorpe, Deputy County Clerk

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, April 3, 2001. (A copy of these minutes is on file in the Office of the Lancaster County Clerk.)

**MOTION:** Hudkins moved and Heier seconded approval of the minutes of the Board of Equalization meeting dated April 3, 2001. Campbell, Hudkins and Heier voted aye. Workman abstained. Motion carried.

- 2) **ADDITIONS AND DEDUCTIONS:**

**Approval of 26 additions and deductions to the tax assessment rolls per Exhibit A.**

**MOTION:** Heier moved and Workman seconded approval. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

3) **MOTOR VEHICLE TAX EXEMPTIONS:**

BryanLGH Medical Center  
The Catholic Bishop of Lincoln  
Grace Lutheran Church  
Our Lady of Guadalupe Seminary, a division of The Priestly Fraternity of St. Peter

**MOTION:** Heier moved and Hudkins seconded approval of motor vehicle tax exemptions for The Catholic Bishop of Lincoln and Grace Lutheran Church and to also approve motor vehicle tax exemptions for BryanLGH Medical Center and Our Lady of Guadalupe Seminary, a division of The Priestly Fraternity of St. Peter subject to the vehicle(s) being titled and registered to the applicant. Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

4) **NOTICE OF VALUATION CHANGE:**

Setting of public hearings for Tuesday, April 24, 2001 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for the following:

Leaford W. Burnett  
Tim Lemar and Connie L. Stauffer

**MOTION:** Heier moved and Hudkins seconded approval of setting public hearings for April 24, 2001 at 2:30 p.m. in the County Commissioners Chambers, Room 112, on the first floor of the County-City Building for notice of valuation change for omitted or undervalued property for Leaford W. Burnett and Tim Lemar and Connie L. Stauffer. Workman, Hudkins, Campbell and Heier voted aye. Motion carried.

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The Chair recessed the Board of Equalization meeting until 2:28 p.m. when it was reconvened.

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5) **REMOVAL OF TAX EXEMPTION FOR 2001:**

**Wyuka Cemetery (2 exemptions)**

Norm Agena, County Assessor, explained there are two accounts. The first account, he said, is north of the post office on 35<sup>th</sup> and "O" Streets and is used as a parking lot for employees of the post office. He added that Wyuka owns the parcel, however, they lease it to the owner of the land where the post office is located. Agena stated the parcel must go back on to the tax rolls because it is not being used for cemetery purposes.

The second account, Agena stated, pertains to the mortuary which was built on the parcel and is not owned by Wyuka. He stated there is a lease agreement between Wyuka Cemetery which permits an exempt entity as landlord and Wyuka Funeral Home Inc. which is a profit subsidiary of Stewart Enterprises who also owns Lincoln Memorial Park which is on the tax rolls. Agena stated that according to the lease "the buildings, improvements and appurtenances of every kind and description now located or hereafter erected, constructed or placed on the Land (the "Building"), and the fixtures currently or hereafter located in or on or permanently attached to the Building shall become the property of the Tenant." Agena stated the "Tenant" is Wyuka Funeral Home which is a subsidiary of Stewart Enterprises and it is his office's opinion that the property is not exempt and should be placed back on the tax rolls.

Agena recommended both exemptions be denied.

**MOTION:** Workman moved and Heier seconded to accept the County Assessor's recommendation and remove the exemptions for Wyuka Cemetery (Parcel I.D. #17-19-417-006-000 and Parcel I.D. # 17-19-419-007-000). Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

6) **ADJOURNMENT**

By direction of the Chair, the Board of Equalization meeting was adjourned.

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Bruce Medcalf  
County Clerk

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- 2) **CLAIMS:** Approval of all claims processed through Tuesday, April 10, 2001.

**MOTION:** Workman moved and Heier seconded approval. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

3) **SPECIAL PRESENTATIONS:**

**A. Declaration of April 16 through April 20, 2001 as "Clean Your Files Week". (R-01-20)**

Gene Hanlon, Recycling Coordinator with the Public Works and Utilities Department, stated they would like to increase participation in the County-City Building. He suggested that junk mail, office paper and magazines be recycled and added that there would be a special collection area on the west side of the lower level of the County-City Building. Hanlon also added that this year employees would be entered into a drawing for one year of free curbside recycling.

**MOTION:** Hudkins moved and Workman seconded approval of Resolution 01-20. Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**B. Report on the Rural Transit Budget and Application for Public Transportation Assistance - Tim Howell, Rural Transit Director.**

Tim Howell, Lancaster County Rural Transit Director, gave a brief overview of Rural Transit's proposed budget (Exhibit A), noting an increase of \$2,295 in Federal funding and an increase of \$920 in State funding.

Hudkins asked Howell if they have ever broadcast public service announcements on KFOR or other radio stations.

Howell stated they have not, but that he would research the possibility.

**MOTION:** Hudkins moved and Workman seconded approval for the Lincoln Area Agency on Aging to submit an application for public transportation, in the amount of \$35,713, and to also authorize the Chair and/or Vice Chair to sign documentation relating to the application. Workman, Hudkins, Campbell and Heier voted aye. Motion carried.

4) **OLD BUSINESS:**

**A. Renewal of a service agreement between Standard Register and the County Assessor's Office for one electric signing machine, beginning January 1, 2001 and ending December 31, 2001, in the amount of \$180. (C-01-105)**

**MOTION:** Heier moved and Workman seconded approval. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

4) **OLD BUSINESS CONTINUED:**

- B. A request from Noel Parrott for a refund of real estate taxes for 1999 in the approximate amount of \$2,025.10 and a decrease of taxes in the approximate amount of \$2,018.42 for 2000. (M-01-36)**

**MOTION:** Workman moved and Hudkins seconded approval of a refund for Noel Parrott for 1999 real estate taxes in the approximate amount of \$2,025.10 and a credit of real estate taxes in the approximate amount of \$2,018.42 for 2000. Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

- C. Application and service contract with the Credit Bureau of Lincoln, Nebraska, Inc. to supply the County Attorney's Office with credit reports. The County will pay a \$75 initiation fee and a \$15 minimum monthly fee. The County will also pay the charges for the information requested should it exceed the minimum monthly fee. (C-01-142)**

David Johnson, Deputy County Attorney, stated he had researched Commissioner Hudkins' question regarding use of the credit reports by the Court Screener and found that for a monthly fee of \$15 those reports may be obtained.

**MOTION:** Hudkins moved and Workman seconded approval. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

5) **NEW BUSINESS:**

- A. An interlocal agreement between the City of Lincoln and Lancaster County for the paving of North 70<sup>th</sup> Street from Interstate 80 north to Waverly Road, commencing upon the date of execution until the completion of the project which is estimated to be the fall of 2002. The City and the County will share the cost, which is estimated to be \$105,000 each. (C-01-159)**

**MOTION:** Heier moved and Workman seconded approval. Campbell, Workman, Heier and Hudkins voted aye. Motion carried.

- B. An agreement between Lancaster County and Consulting Associates for surveying services on Fletcher Avenue, North 70<sup>th</sup> Street and Pioneers Boulevard, in the amount of \$5,400. (C-01-158)**

**MOTION:** Workman moved and Hudkins seconded approval. Heier, Workman, Campbell and Hudkins voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

**C. City-County Keno grant contracts with the following:**

- ▶ Heartland Big Brothers/Big Sisters, in the amount of \$7,500, for the School-Based Mentoring Program. (C-01-150)
- ▶ Lincoln Interfaith Council, in the amount of \$7,500, for the Connecting Neighborhood Partnership Program. (C-01-151)
- ▶ Friendship Home, in the amount of \$1,865, for the Parent Support and Education Project. (C-01-152)
- ▶ Homestead Girl Scouts Council, in the amount of \$5,000, for the Zink to the Zebra Program. (C-01-153)
- ▶ Madonna Rehabilitation Hospital, in the amount of \$3,500, for the Helmet Safety Task Force. (C-01-154)
- ▶ Northeast Family Resource Center, in the amount of \$7,500, for the Community Learning Center. (C-01-155)
- ▶ Lincoln Action Program, in the amount of \$7,500, for the New American Youth Camp. (C-01-156)
- ▶ Bright Lights, in the amount of \$1,500, for the Elementary Scholarship Program. (C-01-157)

David Johnson, Deputy County Attorney, requested the item be held until the end of New Business.

**D. Contracts with the following for weed control services for the Noxious Weed Control Authority, at rates as indicated on the bid tabulations sheet. (The award recommendation was approved by the County Board on February 20, 2001).**

- ▶ Best Kept Lawn Care (C-01-160)
- ▶ "All Care" Grounds Management (C-01-161)

**MOTION:** Workman moved and Heier seconded approval. Workman, Campbell, Hudkins and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

**E. A resolution in the matter of instituting eminent domain proceedings; Project C-55-S-405(1), Tract 18. (R-01-22).**

Hudkins requested the resolution be held one week and that the matter be placed on the April 12 Staff Meeting Agenda for discussion.

**MOTION:** Hudkins moved and Workman seconded to hold Resolution 01-22 for one week and place the matter of eminent domain proceedings (Project C-55-S-405(1), Tract 18) on the April 12 Staff Meeting Agenda for discussion. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

**F. Authorization of Wells Fargo Bank, as Trustee, to disburse \$542,690 from the juvenile detention center bond proceeds to Cheever Construction Company for Pay Application Number 14 as general contractor for the new Juvenile Detention Facility. (M-01-44)**

**MOTION:** Heier moved and Workman seconded approval. Campbell, Heier, Workman and Hudkins voted aye. Motion carried.

**G. Allowance Modification Numbers 16 through 19 for the following in connection with the new Lancaster County Juvenile Detention Facility located at 1200 Radcliff Street:**

- ▶ **Allowance Modification 16** provides valves, labor, and materials to connect water service to City main line in the Radcliff right-of-way. This will decrease the Contingency/Discovery Allowance \$4,601. (M-01-40)
- ▶ **Allowance Modification 17** provides continuous angle support bent plates and bridging at cementitious wood-fiber roof planks as required by the manufacturer in accordance with Proposal Request Number 21. This will decrease the Contingency/Discovery Allowance \$5,313. (M-01-41)
- ▶ **Allowance Modification 18** provides light fixtures and switches in custodial closets ( J15, K15 and N15), changes mounting of fire alarm devices in day rooms (J14 and K14), connects a type 24 fixture to receptacle circuit in training room L12 and changes voltage of a type 25 fixture in accordance with Proposal Request Number 27. This will decrease the Contingency/Discovery Allowance \$895. (M-01-42)
- ▶ **Allowance Modification 19** provides a Model 0346 soap dispenser in lieu of a Model 140 soap dish in restrooms (CDF, EF5, P2, P3 and JK6) in accordance with Proposal Request Number 23. This will decrease the Contingency/Discovery Allowance \$61. (M-01-43)



5) **NEW BUSINESS CONTINUED:**

**A total of \$11,419 will be drawn from the Contingency Allowance leaving a balance of \$19,661.**

**MOTION:** Heier moved and Workman seconded approval. Hudkins, Campbell, Heier and Workman voted aye. Motion carried.

**H. A disbursement from the Lancaster County Leasing Corporation Renewal and Replacement Fund for Lancaster Manor to Pegler Sysco, in the amount of \$1,382.50, for food dispensing racks and to Hockenbergs, in the amount of \$295, for a five quart Kitchen-Aid mixer. (M-01-46)**

**MOTION:** Workman moved and Hudkins seconded approval. Campbell, Hudkins, Heier and Workman voted aye. Motion carried.

**I. Recommendation from the Purchasing Agent and the County Engineer to award a bid for concrete box culvert construction to S.P. Olson Enterprises, Inc., in the amount of \$55,544.40. (B-01-21)**

**MOTION:** Workman moved and Hudkins seconded approval. Heier, Campbell, Hudkins and Workman voted aye. Motion carried.

**J. Approval and authorization of the County Clerk to send out a letter for protests that come to the Clerk's Office that are not timely filed. (M-01-45)**

**MOTION:** Heier moved and Workman seconded approval. Workman, Heier, Campbell and Hudkins voted aye. Motion carried.

**K. A political subdivision tort claim filed against Lancaster County by Candi Kohmetscher, in the amount of \$65, for towing services.**

Terry Wagner, County Sheriff, gave a brief explanation of the claim and recommended approval.

**MOTION:** Workman moved and Heier seconded approval of the tort claim filed by Candi Kohmetscher, in the amount of \$65. Workman, Hudkins, Campbell and Heier voted aye. Motion carried.

5) **NEW BUSINESS CONTINUED:**

**L. Telephone service for the new Juvenile Detention Facility.**

Kerry Eagan, Chief Administrative Officer, explained that Information Services and Purchasing have been reviewing the possibility of Voice Over Internet Protocol versus Alltel in relation to telephone service for the Lancaster County Juvenile Detention Center.

Doug Thomas, Information Services, stated his department has been researching Voice Over Internet Protocol for approximately one year. He stated they do have money in next year's budget for a pilot project, however, it is felt they should conduct that project within Information Services. Thomas stated he has concerns using Voice Over Internet Protocol at the Juvenile Detention Center because of issues with inmates and their rights. He also stated he would prefer that the County and City wait until the technology stabilizes and there are more standards to change to a voice over telephone system.

Vince Mejer, Purchasing Agent, stated Time Warner has laid conduit up to the Juvenile Detention Center which will allow for the addition of the voice over telephone system in the future.

**MOTION:** Hudkins moved and Workman seconded to proceed with the original recommendation of Alltel Communications as the telephone provider for the new Lancaster County Juvenile Detention Facility. Hudkins, Workman, Heier and Campbell voted aye. Motion carried.

**RETURNING TO NEW BUSINESS ITEM 5C:**

**C. City-County Keno grant contracts with the following:**

- ▶ Heartland Big Brothers/Big Sisters, in the amount of \$7,500, for the School-Based Mentoring Program. (C-01-150)
- ▶ Lincoln Interfaith Council, in the amount of \$7,500, for the Connecting Neighborhood Partnership Program. (C-01-151)
- ▶ Friendship Home, in the amount of \$1,865, for the Parent Support and Education Project. (C-01-152)
- ▶ Homestead Girl Scouts Council, in the amount of \$5,000, for the Zink to the Zebra Program. (C-01-153)
- ▶ Madonna Rehabilitation Hospital, in the amount of \$3,500, for the Helmet Safety Task Force. (C-01-154)
- ▶ Northeast Family Resource Center, in the amount of \$7,500, for the Community Learning Center. (C-01-155)

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- ▶ Lincoln Action Program, in the amount of \$7,500, for the New American Youth Camp. (C-01-156)
- ▶ Bright Lights, in the amount of \$1,500, for the Elementary Scholarship Program. (C-01-157)

David Johnson, Deputy County Attorney, requested that the item be held until he places it back on the agenda.

By direction of the Chair, the keno grant contracts were held until the County Attorney's Office places them back on the County Board agenda.

- 6) **CONSENT ITEMS:** These are items of business that are routine and which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

**A. Receive and Place on File:**

1. County Clerk's Monthly Report for March, 2001.
2. Noxious Weed Control Authority's Monthly Report for March, 2001.
3. Noxious Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for March, 2001.
4. Time Warner Cable Social Contract Progress Report for 2000.

**B. A resolution in the matter of approving County Change of Zone 203 for a text amendment to the Lancaster County Zoning Resolution to add cable and fiber optic communication distribution systems as a permitted use in the "AG" Agricultural and "AGR" Agricultural Residential zoning districts. (R-01-21)**

**C. A maintenance agreement for two Power Files 2000, located in the Clerk of the District Court's Office, with Professional Office Systems, Inc., beginning January 1, 2001 and ending December 31, 2001, in the total amount of \$1,750. (C-01-143)**

**D. A leasehold contract relating to culvert replacement between the Lancaster County Engineer and Harold Otto, in the amount of \$10, at 112<sup>th</sup> Street and Rock Creek Road; Project C.P.D.-108. (C-01-147)**

6) **CONSENT ITEMS CONTINUED:**

**E. Right-of-way contracts relating to road improvements between the Lancaster County Engineer and the following:**

- ▶ Lumir F. Splichka, Jr. Trustee, in the total amount of \$2,750, on South 68<sup>th</sup> Street from Hickman Road to Saltillo Road; Project STPE-3265(6). (2 contracts) (C-01-148 and C-01-149)
- ▶ Charles L. and Denice M. Baum, in the total amount of \$2,565.45, on West Denton Road; Project C55-N-404(1). (2 contracts) (C-01-145 and C-01-146)
- ▶ Hayrack, Inc., in the amount of \$1,666.84, on West Denton Road; Project C55-N-404(1). (C-01-144)

David Johnson, Deputy County Attorney, requested Consent Item 6C be removed from the agenda until such time that he places it back on the County Board's agenda.

**MOTION:** Workman moved and Heier seconded approval of the Consent Items, with the exception of Item 6C which was removed until the County Attorney's Office places it back on the County Board's agenda.

7) **ADJOURNMENT**

**MOTION:** Hudkins moved and Heier seconded adjournment of the Board of Commissioners meeting. Heier, Workman, Hudkins and Campbell voted aye. Motion carried.

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Bruce Medcalf  
County Clerk